

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 20, 24-28, 30, 33-36, 38, 42-45, 47, 50, 51 and 53-60 are pending in the present application. Claims 20, 24, 30, 33, 38, 42, 47, 50, 54 and 57-60 have been amended by the present amendment.

In the outstanding Office Action, claims 20, 24-28, 30, 33-36, 38, 40-45, 47, 50, 51, 53 and 54 were rejected under 35 U.S.C. § 103(a) as unpatentable over Na et al. in view of Takehiko et al.

Applicants thank the Examiner for discussion this application with Applicants' representative on March 10, 2009. During the discussion, the differences between the present invention and the applied art were discussed. No agreement was reached pending the Examiner's further update search and detailed review. Comments presented during the discussion are reiterated below.

20, 24-28, 30, 33-36, 38, 40-45, 47, 50, 51, 53 and 54 were rejected under 35 U.S.C. § 103(a) as unpatentable over Na et al. in view of Takehiko et al. This rejection is respectfully traversed

As discussed with the Examiner, independent claim 20 has been amended to clarify that the transport stream is directly read from the recording medium to further distinguish over Na et al., which reads a program stream (not a transport stream) from a recording medium. In more detail, as shown in Figure 4 of Na et al. the system controller 320 controls the pick-up unit 306 to read a program stream (not a transport stream) from a recording medium 302. Thus, in Na et al.,

the system needs a PS/TS converter 318 to convert the read program stream (PS) to a transport stream (TS). This is similar to the conventional art shown in Figure 1 of the present application.

On the contrary, the invention as recited in claim 20 of the present application directly reads the transport stream from the recording medium. Further, claim 20 has also been amended to clarify that method includes generating a program managing information packet for indicating a discontinuity of the MPEG transport stream in a form of a transport packet.

On the contrary, Takehiko et al. only teaches transmitting a flag from a DVD player to a DTV in which the flag indicates whether or not the decoder 13 is reset (see column 11, line1-9). Thus, it is respectfully submitted neither Na et al. nor Takehiko et al. teach or suggest reading a transport stream directly from a recording medium nor generating a program information packet for indicating a discontinuity of the MPEG transport stream in a form of a transport packet, as recited in independent claim 20. Similar comments apply to independent claims 30, 38, 47, 53 and 54.

Accordingly, it is respectfully submitted independent claims 20, 30, 38, 47, 53 and 54 and each of the claims depending therefrom are allowable.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, Applicants respectfully request the Examiner to reconsider and withdraw the rejection of record, and earnestly solicit an early issuance of a Notice of Allowance.


Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact David A. Bilodeau (Registration No. 42,325) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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